



EX PARTE OR LATE FILED

June 15, 1998

Chairman William Kennard  
Federal Communications Commission  
1919 M. Street, NW, Room 814  
Washington, DC 20554

Ex parte Filing in cases OF 91-71; OF 91-301.

Dear Chairman Kennard:

I represent the City of Springfield, Missouri on cable related issues. Springfield is a metropolitan area of approximately 250,000 persons living in Southwest Missouri. I was deeply distressed to learn that the FCC may be considering preempting local government use of emergency alert systems (EAS) on local cable systems on the stated ground that local television stations provide "better" information to citizens. This is simply not true and totally ignores the fact that local stations go off the air during the nighttime or lease their channel to home shopping clubs. Local stations also do not cover all types of emergencies and are not equipped with the necessary information or staff to provide twenty-four hour, seven days a week emergency information.

I want to relate to you what would have happened two weeks ago in our City if the EAS was preempted on our local cable system. At approximately 2:15 a.m. I was awakened by the sound of a tornado siren, a luxury a number of families in our area do not have as the siren coverage is not complete. My family and I went to the basement and turned on our cable connected television. **NOT ONE LOCAL STATION WAS ON THE AIR. NOT ONE LOCAL STATION STARTED BROADCASTING DURING THE FOLLOWING HOUR WHEN THE TORNADO WARNING WAS IN PLACE. WHEN THE POLICE COMMUNICATED THROUGH THE SYSTEM TO ANNOUNCE THAT THE WARNING WAS OVER, ONLY THE CHANNELS THAT WERE NOT LOCAL CARRIED THAT SIGNAL.** What would have happened in the area without the ability of the local government to override the signal to give out information? Local stations do not and will not call the staff in to cover emergencies. About two years ago I witnessed the EAS system being activated when another tornado warning was issued for our City. I switched to the local stations which broadcasting their news programs. They said nothing about the warning until they got to the weather part of the show.

**LAW DEPARTMENT**

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I have not witnessed every time an EAS alert has been broadcast, but these two specific instances should be enough to demonstrate the shortsightedness in preempting local EAS. We live in tornado alley as do many, many people. With the outbreak in tornados and other violent storms through over half of the country, the EAS as a system needed is without question.

Please call me if you need additional information as this is not a question without great consequence.

Sincerely,



Nancy K. Yendes  
Assistant City Attorney



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